

COMMITTEE AMENDMENT FORM

DATE: 4/2/ 08

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #07-O-2152 SECTION (S)

RESOLUTION I. D. #08-R- PARA.

AMENDS THE LEGISLATION BY ADDING SIXTEEN (16) CONDITIONS ONE
OF WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING
2/19/08.

AMENDMENT DONE BY COUNCIL STAFF 4/2/08

City Council
Atlanta, Georgia

07-O-2152

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-07-100
Date Filed: 9-11-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1035-1039 Grant Street, S.E.**, be changed from the I-1 (Light Industrial) District to the MRC-3 –C (Mixed Residential Commercial- Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 1 and 2, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Conditional Development”, as identified by the use of the suffice “C” after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

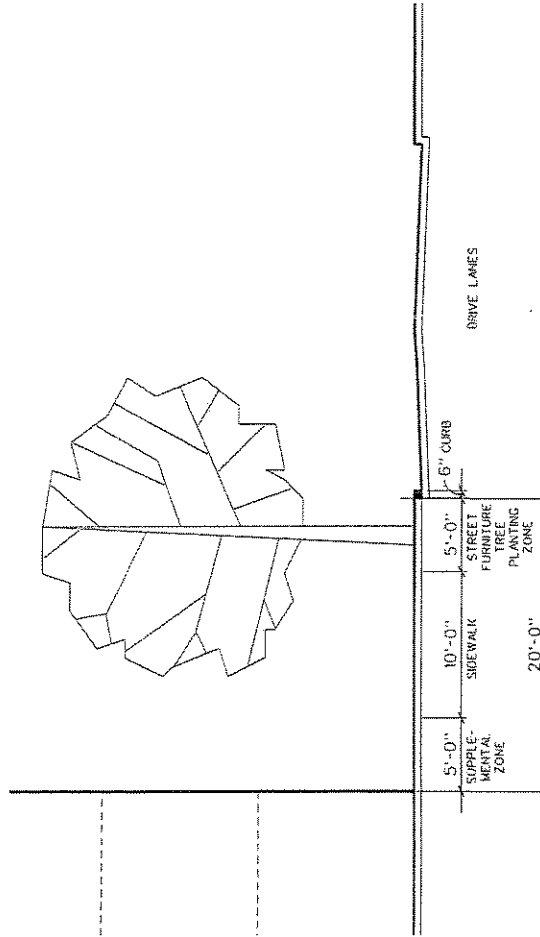
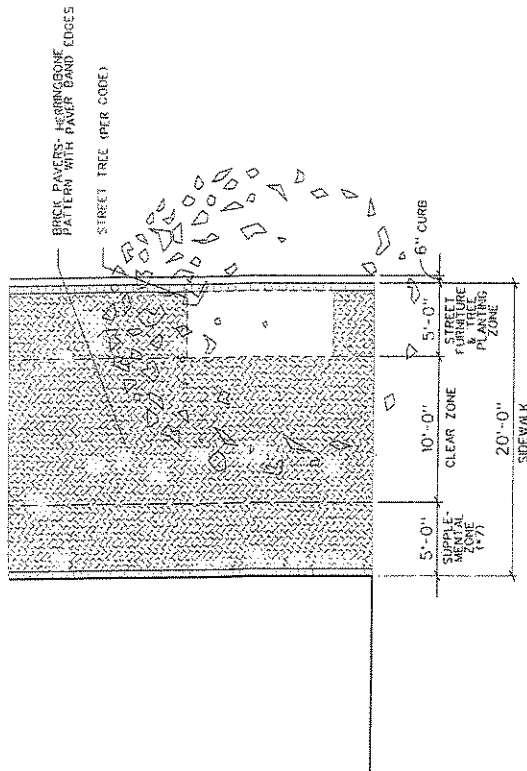
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-07-100 for 1035-1039 Grant Street, S.E.

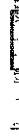
1. The property that is currently zoned I-1 shall be re-zoned to MRC-3-C and developed according to the standards therein and generally in accordance with the conceptual site plan entitled '1035-1059 Grant Street' prepared by Lord, Aeck & Sargent Architecture, dated September 11, 2007, last revised October 26, 2007 and marked received by the Bureau of Planning on February 19, 2008. Any substantial changes to the site plan as determined by the City of Atlanta Bureau of Planning shall be presented to the GPNA Land Use and Zoning Committee and the Full GPNA membership for review and recommendation by the applicant.
2. The applicant shall submit to the NPU Zoning Contact a copy of the Special Administrative Permit (SAP) application at the time of submittal to the Bureau of Planning.
3. Permeable concrete shall be used wherever appropriate and where permitted by the City of Atlanta Site Development regulations.
4. The use of Exterior Insulation and Finish Systems (EIFS) or other synthetic stucco surfaces, wood siding, and vinyl siding shall be prohibited for all exterior facades of the buildings.
5. Brick or other masonry shall be utilized on a minimum of 60% of the exterior facades, excluding the area of fenestration.
6. Window frames and Exterior Door frames shall be recessed a minimum of two inches from the major plane of the exterior façade, exclusive of trim.
7. All Window mullions and divisions to be assembled in the sash using muntins (i.e., in "true divided light" fashion).
8. Perimeter gates are prohibited for this development.
9. Project signage shall conform to the same regulations as would be required for property located within the Grant Park Historic District Section 16-28A.010(35)(c) (Commercial Subarea II).
10. Project sidewalks shall be designed in accordance with the drawing prepared by Lord, Aeck & Sargent, entitled "1059 Grant Street Sidewalk Detail," dated February 21, 2008.
11. Subject to approval of the City of Atlanta, the developer shall provide capacity in the stormwater retention system to accommodate irrigation of the landscaped areas of the project.
12. The northernmost parking structure elevation shall be constructed generally in accordance with the elevation entitled 1035-1059 Grant Street: Deck Screening, prepared by Lord, Aeck & Sargent Architecture, dated December 17, 2007, last revised February 19, 2008.

CONDITIONS FOR Z-07-100 for 1035-1039 Grant Street, S.E.

13. Dumpsters shall be located adjacent to the improved alley at the western edge of the property or within a building or parking structure. In the event a dumpster is located outside of either a building or parking structure, the dumpster enclosure shall be constructed of brick in a lattice pattern.
14. The following uses are prohibited:
 - a. Adult Businesses as defined by Section 16-29.001(3),
 - b. Veterinary clinics, meaning facilities for the medical care of domestic pets,
 - c. Pet boarding facilities, meaning facilities for the supervision and/or exercise of domestic pets, either on an hourly or daily basis,
 - d. Check cashing, meaning facilities with the primary function of cashing checks.
15. The developer shall provide that a minimum of 10% of the units in this development shall be considered "Workforce Housing" as defined by the Atlanta Workforce Housing Task Force and that if the developer takes advantage of TAD funding that the minimum shall increase to 20%.
16. Sidewalks will be installed around the entire periphery (including the new street).



Z-07-100



1059 Grant Street Sidewalk Detail

Atlanta, Georgia
 Date: 02/21/08
 Last Revised:
 Project: 27010-00

LORD · AECK · SARGENT
 ARCHITECTS

GENERAL NOTES

SIDEWALK: PER MRC ZONING SEC. 16-34.012

1. SIDEWALKS CONSIST OF 2 ZONES:

CLEAR ZONE AND STREET FURNITURE

AND TREE PLANTING ZONE AND CLEAR ZONE.

2. SIDEWALKS ARE A MINIMUM OF 15 FEET

3. STREET FURNITURE AND TREE PLANTING ZONE

MINIMUM 5 FEET.

4. CLEAR ZONE MINIMUM 10 FEET.

SUPPLEMENTAL ZONE: PER MRC ZONING SEC. 16-34.013

5. SUPPLEMENTAL ZONE IS THE AREA BETWEEN THE

USABLE SIDEWALK AND THE BUILDING.

6. SUPPLEMENTAL ZONE IS REQUIRED TO BE A MINIMUM

OF 5 FEET.

7. SUPPLEMENTAL ZONE AT SIDEWALK LEVEL

RESIDENTIAL UNITS IS REQUIRED TO BE LANDSCAPED

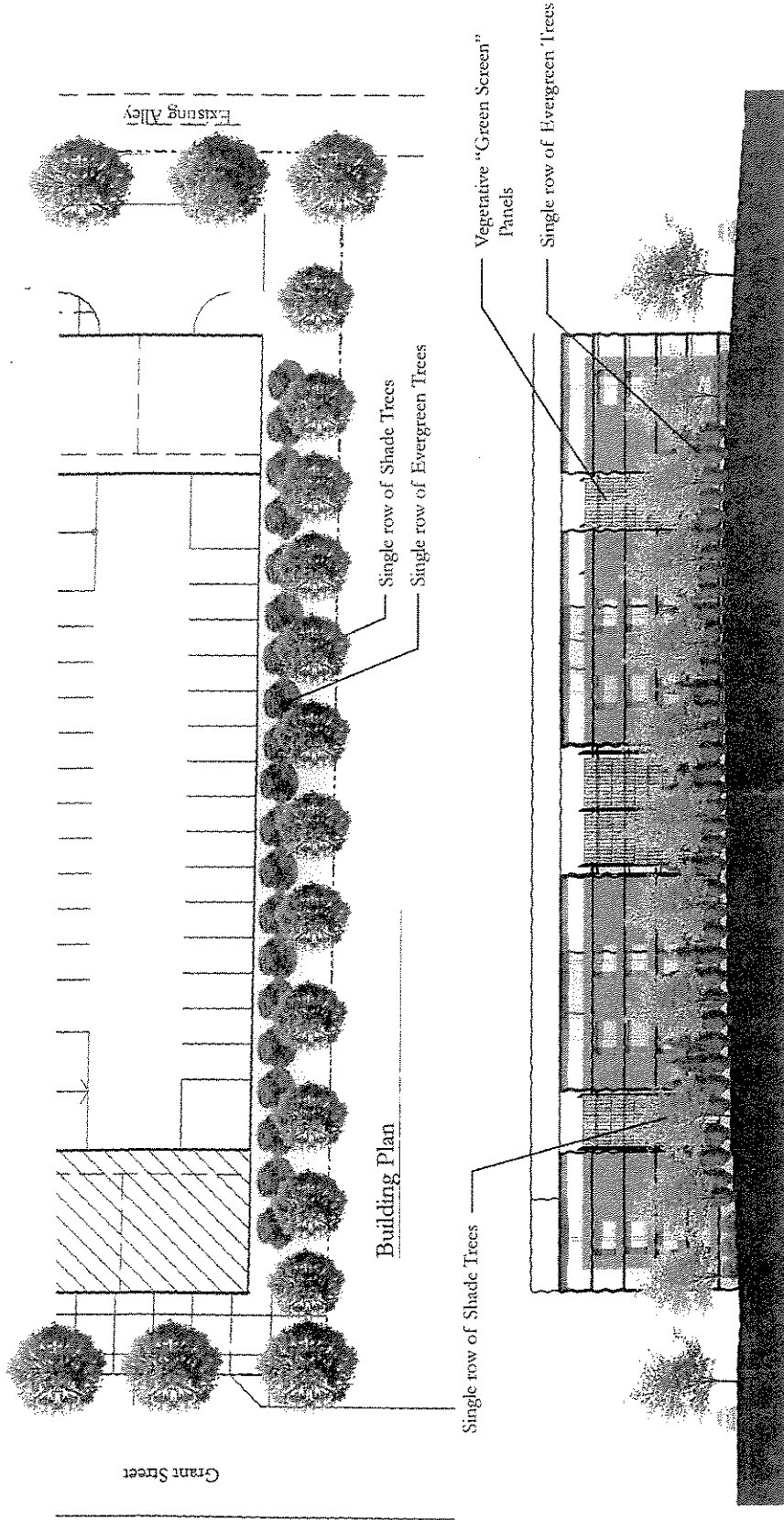
ADDITIONAL NOTES:

8. STREET FURNITURE AND TREE ZONE PERMITTED

TO BE VEGETATIVE GROUNDCOVER IN FRONT OF

RESIDENTIAL/LIVE WORK UNITS (EXCEPT, IF

APPLICABLE, UNITS FRONTING GRANT ST)



Architectural Treatment

Z-07-100

1035-1059 Grant Street: Deck Screening

RCS# 1487
10/15/07
2:02 PM

Atlanta City Council

SPECIAL SESSION

MULTIPLE

07-O-2151, 07-O-2152, 07-O-2153, 07-O-2154
07-O-2155, 07-O-2156, 07-O-2157
REFER ZRB/ZONE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	B Muller	Y Sheperd	NV Borders

MULTIPLE

07- 0-2152

City Council
Atlanta, Georgia

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207-100

EXHIBIT "A"

Limited Warranty Deed Legal Description

RECEIVED
SEP 11 2007
Bureau of
Planning

TRACT 1:

ALL THAT TRACT or parcel of land lying and being in land Lot 42 of the 14th District of Fulton County, Georgia, containing 1.2434 acres, same being more particularly described as follows:

BEGINNING at a nail found on the westerly Right-of-Way Line of Grant Street (Fifty (50') foot Right-of-Way) which nail found is located 473.0 feet southerly along said westerly Right-of-Way Line of Grant Street from the southerly Right-of-Way line of Grady Avenue; thence traveling along the westerly Right-of-Way Line of said Grant Street south 00 degrees 16 minutes 03 seconds west a distance of 175.00 feet to a nail set on said Right-of-Way Line; thence leaving said Right-of-Way Line and traveling south 89 degrees 51 minutes 58 seconds west a distance of 308.81 feet to a ½ inch rebar set; thence traveling north 00 degrees 11 minutes 15 seconds west a distance of 175.00 feet to a ½ inch rebar found; thence traveling north 49 degrees 51 minutes 58 seconds east a distance of 310.20 feet to a nail found, which nail found is the TRUE POINT OF BEGINNING.

ALL AS SHOWN on that certain Survey entitled "Boundary and Above Ground "As-Built" Survey for Pet Incorporated & Ticor Title Insurance Company of California", prepared by Pearson & Associates, Inc. stamped by Mark A. Buckner, Georgia Registered Land Surveyor No. 2422, dated June 22, 1989.

TRACT II

ALL THAT TRACT or parcel of land lying and being in Land Lot 42 of the 14th District of Fulton County, Georgia being more particularly described as follows:

BEGINNING at a point on the west side of Grant Street Six Hundred Fifty (650) feet South from the Southwest corner of the intersection of Grant Street and Grady Place. (Avenue) (unopened); said point of beginning also being the south line of property now or formerly owned by Warehouse Service Company, Inc. thence running South along the west side of Grant Street Three Hundred Sixty Eight (368) Feet, to a point which is Two Hundred One and Nine-tenths (201.9) feet North from the right-of-way of the A&--- Railroad; thence West Three Hundred Seven and Two-tenths (307.2) Feet to the East side of a Fifteen (15) Foot alley; thence North along the East side of said alley, Three Hundred Sixty-eight (368) feet, to the South line of the above mentioned Warehouse Service Company, Inc. property, thence East along the South line of said Warehouse Service Company, Inc. property Three Hundred Nine (309) feet, to the West side of Grant Street and the point of beginning; being improved property known as No. 1039 Grant Street, N.E., according to the present numbering of houses in the City of Atlanta, Georgia.